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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 WEST CHARLESTON LOFTS I, LLC,
10 a Nevada limited liability company;
11 WCL COMMERCIAL, LLC, a
12 Nevada Limited Liability Company,

) 2:09-CV-00392-PMP-LRL

ORDER

13 Plaintiffs,

14 vs.

15 R&O CONSTRUCTION COMPANY, a
16 Utah corporation, et al.,

17 Defendant

18 AND ALL RELATED ACTIONS.

19
20 Before the Court for consideration is Defendant/Counterclaimant R&O
21 Construction Company's fully briefed Motion to Confirm Arbitration on Award and
22 Enter Judgment on Award (Doc. #157), filed April 18, 2011..

23 In its Partial Opposition to Defendant/Counterclaimant's Motion (Doc.
24 #158) Plaintiff/Counter Defendant/Third-Party Defendant West Charleston Lofts I,
25 LLC's and Third Party Defendants (collectively "WCL") do not oppose
26 Confirmation of the Arbitration, but do object to R&O's Motion to Judgment and

1 Foreclosure on its Mechanics Liens. Having asserted no objection to Confirmation
2 of the Arbitrator Award holding that R&O is entitled to payment from WCL in the
3 amount of \$344,409.74, the Court finds that the Arbitrator Award should be
4 confirmed.

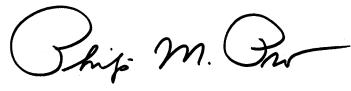
5 The issue of R&O's entitlement to foreclose on its Mechanics Liens is a
6 separate matter which was expressly not addressed by the Arbitrator. The amount
7 owed by WCL to R&O is now determined and WCL presents no good cause why
8 judgment foreclosing on R&O's mechanics liens on the parcels owned by WCL
9 should not be granted and judgment entered accordingly.

10 **IT IS THEREFORE ORDERED** that Defendant/Counterclaimant R&O
11 Construction Company's Motion to Confirm Arbitration on Award and Enter
12 Judgment on Award (Doc. #157) is **GRANTED** and that judgment should be entered
13 in favor of Defendant/Counterclaimant R&O Construction Company and against
14 Plaintiff/Counter Defendant/Third-Party Defendant West Charleston Lofts I, LLC's
15 and Third Party Defendants (collectively "WCL") in the amount of **\$344,409.74**, as
16 determined by the Arbitrator.

17 **IT IS FURTHER ORDERED** that judgment shall be entered in favor of
18 Defendant/Counterclaimant R&O Construction Company entitling R&O to foreclose
19 on the Mechanic's Liens on the units owned by WCL.

20 **IT IS FURTHER ORDERED** that the Clerk of Court shall forthwith enter
21 the Proposed Judgment (Doc. #157-1) submitted by R&O on March 18, 2011.

22 **IT IS FURTHER ORDERED** that Plaintiffs and Counterclaim
23 Defendant's Motion to Withdraw as Counsel of Record (Doc. #161) is **GRANTED**.
24 DATED: June 13, 2011.

25 
26 PHILIP M. PRO
United States District Judge